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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

MARIA MCDERMOTT, individually, and  
JACOB ROTHENBERG, individually,

Plaintiffs,

vs.

WYNDHAM VACATION RESORTS, INC.,  
PVTO OWNERS ASSOCIATION, INC., AND  
DOES 1-50,

Defendants.

Case No.: 2:20-cv-1644-JAD-EJY

**STIPULATION AND ~~[PROPOSED]~~  
ORDER TO EXTEND DEADLINE FOR  
DEFENDANTS TO RESPOND TO  
COMPLAINT**

**[FIRST REQUEST]**

Defendants, Wyndham Vacation Resorts, Inc. and PVTO Owners Association, Inc. (collectively, “Defendants”), by and through their counsel, Armstrong Teasdale LLP, and Plaintiffs Maria McDermott and Jacob Rothenberg (collectively, “Plaintiffs”), by and through their counsel, Albright, Stoddard, Warnick & Albright, hereby move pursuant to Fed. R. Civ. P. 6 and Local Rule LR IA 6-1, to extend the deadline for Defendants to respond to the Complaint (ECF No. 1-2), which was filed in the Eighth Judicial District Court, Clark County, Nevada, on July 30, 2020, but removed to this Court on September 4, 2020, by two (2) weeks so that Defendants’ response will be due on Friday, October 9, 2020, instead of the current deadline of Friday, September 25, 2020. This is the first request to extend this particular deadline.

As set forth below, good cause exists to extend the deadline for Defendants to respond to the Complaint by two (2) weeks, or to October 9, 2020.

1 On July 30, 2020, Plaintiffs filed their Complaint against Defendants in the Eighth Judicial  
2 District Court, Clark County, Nevada, entitled *Maria McDermott, et al. v. Wyndham Vacation*  
3 *Resorts, Inc., et al.*, and bearing Case No. A-20-818830-C. (ECF No. 1.) Defendants were served  
4 with the Summons and Complaint on August 5, 2020. (Id.) On August 26, 2020, Defendants filed a  
5 Demand for Non-Resident Cost Bond from Plaintiffs Pursuant to NRS 18.130 in the state court  
6 action. (ECF No. 1-2.) Defendants timely removed this action to federal court on September 4,  
7 2020. (ECF No. 1.) Concurrent with removal, Defendants' also filed a Renewed Demand for Non-  
8 Resident Cost Bond from Plaintiffs Pursuant to NRS 18.130 in this Court ("Renewed Demand").  
9 (ECF No. 3.)

10 On September 15, 2020, Plaintiffs filed a Notice of Undertaking for Security for Costs for  
11 Non-Resident Plaintiffs Maria McDermott and Jacob Rothenberg ("Notice of Undertaking")  
12 containing four (4) undertakings evidencing that Capital Indemnity Corporation "will pay such costs  
13 and charges as may be awarded against Plaintiff(s) by judgment, or in the process of said action or  
14 special proceeding, not exceeding the sum of Five Hundred and 00/100 Dollars (\$500.00)" on behalf  
15 of Maria McDermott and Jacob Rothenberg. (ECF No. 5). Thereafter, on September 22, 2020, this  
16 Court issued a Minute Order granting Defendants' Renewed Demand ordering Plaintiffs to post the  
17 security required under NRS 18.130(1) and staying the case until the security is posted. (ECF No.  
18 7.) Based on Plaintiffs filing the Notice of Undertakings on September 15, 2020, the parties agree  
19 that the stay of this case under NRS 18.130(1) was lifted at that time and Defendants' response is  
20 due September 25, 2020, or ten (10) days after service of a notice of undertaking. *See* NRS  
21 18.130(1).

22 Although Defendants have been diligent in prosecuting this action to date, they require some  
23 additional time to fully evaluate and respond to the Complaint, and Plaintiffs do not oppose  
24 providing additional time. This request is made in good faith and is not intended to unreasonably  
25 delay this matter. In particular, this case was filed less than two months ago.

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Based on the foregoing, the parties respectfully request that this Court extend Defendants' deadline to respond to the Complaint by two (2) weeks, or to October 9, 2020.

Dated this 24<sup>th</sup> day of September, 2020.

Dated this 24<sup>th</sup> day of September, 2020.

**ARMSTRONG TEASDALE LLP**

**ALBRIGHT, STODDARD, WARNICK  
& ALBRIGHT**

By: /s/Michelle D. Alarie

By: /s/Jorge L. Alvarez

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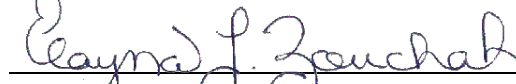
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*Attorneys for Defendant Wyndham Vacation  
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Inc.*

*Attorneys for Plaintiffs Maria  
McDermott and Jacob Rothenberg*

**ORDER**

**IT IS SO ORDERED.**



UNITED STATES MAGISTRATE JUDGE

DATE: September 25, 2020